

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

_____	:	Case No. _____
_____	:	Chapter 13
<i>Debtor(s)</i>	:	
_____	:	
_____	:	
<i>Movant,</i>	:	
	:	Related to Document No. _____
v.	:	
_____	:	
_____	:	
<i>Respondent.</i>	:	

OBJECTION TO CLAIM STATUS REPORT ORDER

AND NOW, this ____ day of _____, 200, after hearing on Debtors' *Objection* _____ and the Response thereto,

It is hereby ***ORDERED, ADJUDGED and DECREED*** that:

(1) ***On or before*** _____, Counsel for Respondent, after consultation with Movant's Counsel in a good faith attempt to resolve all outstanding issues in a cooperative effort with Movant's Counsel, shall file a ***Status Report***, including:

- (a) A description of each and every item of the Proof of Claim and the Objection thereto that is the subject of *agreement* and each and every item that is the subject of *disagreement*. The "itemization" concerning those areas of disagreement shall include a complete narrative statement ***explaining in detail the Parties' differences, point by point***. In the event additional areas of disagreement not previously pled in the Objection to Claim arise prior to the time of filing the Status Report, the filed Status Report shall so note the same and reference these additional areas of disagreement, point by point, as if originally pled. ***No other issues related to the resolution of the Objection***

to Claim shall be allowed by either Party after the filing of the Status Report.

- (b) ***A separate itemization and detail from counsel for each Party***, in the form of separate exhibits attached to the Status Report, complying with the requirements of *Local Rule 2016-1* regarding fee applications, identifying the dates and time spent, set forth in one-tenth (1/10) of an hour increments, coupled with a narrative description of the specific action ***rendered by each Party and/or their attorney in “consultation” during their “good faith attempt to resolve all outstanding issues” up to the time of filing of the Status Report.***
- (c) ***The signature of Counsel*** for the Party “not responsible” for physically filing the required Status Report with the understanding that the signatures contained on the Status Report, in addition to all other matters set forth therein, ***shall constitute the agreement of and certification by all Counsel as to the only remaining issues outstanding*** and subject to any evidentiary hearing to be scheduled by the Court at a time soon to follow the filing of the Status Report.

(2) In the event the Party bearing responsibility for the actual, physical of the Status Report fails to timely comply with the above filing requirements, it then becomes the burden of the “non-responsible” Party to file its own Status Report, otherwise in substantial compliance with this Order, but also explaining in detail the reasons known to it as to why the “responsible” Party has failed to timely comply with this Order requiring the filing of the Status Report in the first instance.

(3) In the event the Objection is completely resolved by the “cooperative” effort of counsel, then, ***on or before*** *(Same date as Paragraph 1)* , either an amended proof of claim shall be filed in lieu of the Status Report, at which time Respondent shall also file a Request with the Court to deny the Objection, or, Counsel for the Movant shall file a request to withdraw the Objection to Claim. Upon receipt of either of the above requests, the pending Objection to Claim will be DENIED as moot.

(4) In the event a Status Report is filed and the matter has not been completely resolved, then, *on or before* (2 weeks after date in Paragraph 1) :

- (a) The Parties shall exchange all documents incidental and related to the Objection to Claim (including copies of account, loan and payment histories, cancelled checks, money orders, etc.) and jointly file a list of exhibits identifying all exhibits to be offered at the time of the evidentiary hearing *and simultaneously providing the Court a courtesy copy of the exhibit list and the exhibits.*
- (b) Unless an objection is noted on the exhibit list, exhibits will be admitted without further testimony.
- (c) Any objections noted on the exhibit list as to the admissibility of a specific exhibit will be resolved prior to use of the exhibit.
- (d) All exhibits upon which there is an agreement as to admissibility shall be pre-marked as “Courtroom Exhibits” in numerical fashion (“CR-1”, “CR-2”, etc.) with subcategories of exhibits pre-marked alphabetically (“CR-1(a)”, “CR-1(b)”, etc.)
- (e) The Movant’s exhibits shall be pre-marked *numerically* with subcategories of exhibits pre-marked *alphabetically* (“1(a)”, “1(b)”, etc.)
- (f) The Respondent’s exhibits shall be pre-marked *alphabetically* with subcategories of exhibits pre-marked *numerically* (“A(1)”, “A(2)”, etc.)
- (g) No other documents will be admitted at the time of the evidentiary hearing unless counsel shows cause for their prior non-disclosure pursuant to this Order. *Mere inability to timely locate documents shall not constitute cause.*

(5) *On or before* (Same date as Paragraph 4), to the extent applicable, the Parties shall submit to the Court, in the form of a memorandum, any case law or other authorities supporting their respective positions.

(6) The dates and all other requirements set forth in this Order are to be strictly adhered to, *time being of the essence*.

(7) ***Failure by any Party or attorney to comply with any terms of this Order*** will result in the imposition of sanctions on said Party by, *inter alia*, reprimand, fine, prohibition against said Party from offering testimony and/or dismissal.

Case Administrator to mail to:
Ronda Winnecour, Esq.
Via CM:ECF e:mail

Debtors
Debtors' Counsel
Counsel for Respondent

Thomas P. Agresti
United States Bankruptcy Judge